

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 07/16/02

AGENDA ITEM 8

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Adoption of the Housing Element for the City of Hayward

RECOMMENDATION:

The staff and Planning Commission recommend that the City Council adopt the attached resolution adopting the General Plan Housing Element.

BACKGROUND:

On March 12, 2002, City Council adopted resolutions adopting the draft General Plan (excluding the Housing Element) and certifying that the Environmental Impact Report (EIR) had been prepared in compliance with the California Environmental Quality Act and City implementing guidelines, adopting the Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program. The EIR and accompanying documents covered impacts relating to the the draft Housing Element as well as the revised General Plan.

On May 14, 2002, City Council conducted a Work Session reviewing and commenting on the draft Housing Element. At that Work Session, members of the public also commented on the draft Housing Element. Council members remarked on the need to strengthen the residential rental housing inspection ordinance and target those areas with the most problems; continue to provide a variety of housing opportunities for all households; work with the development community and others to create more affordable housing; create housing rehabilitation programs for moderate income households and, in general, stimulate more residential rehabilitation in the neighborhoods. Council members also noted the importance of preserving affordable housing "at-risk" of conversion to market rate and other affordable housing developments. Concern was expressed about the unintended consequences of housing development and a desire to review information from the census that will clarify the City's demographic changes. Council members concurred that community interest in affordable housing is very important and appears to be greater now than during previous Housing Element revisions.

On June 20, 2002, the Planning Commission heard public testimony. Three people spoke at the Public Hearing. One person spoke on behalf of the Hayward Affordable Housing Coalition. He criticized the process used in developing the Housing Element; questioned whether conditional use permits were required to build housing on the vacant parcels identified as available for housing, and stated that the City needed to work more closely with the disabled community. Another person spoke in support of the need for affordable housing throughout

Hayward, noting that it will take all of our efforts combined to make this happen. A third person spoke about the problems of disabled tenants, since housing accessible and affordable to people with disabilities is very rare.

After the Public Hearing was closed, Commissioners reviewed and commented on the draft Housing Element. The Planning Commission unanimously recommended that City Council adopt of the draft Housing Element of the General Plan. A copy of that Agenda Report and the Minutes of the Planning Commission are attached.

DISCUSSION:

The Housing Element is a mandatory component of the City's General Plan. The Element discusses issues and presents policies, strategies and programs to address Hayward's housing needs. The City adopted its current Housing Element on July 31, 1990. It was subsequently amended on July 16, 1991 to include the programs and policies for the preservation of affordable rental housing complexes at risk of converting to market rate. On October 17, 1995, the Homeownership Amendment to the Housing Element was adopted.

Although sufficient housing was not built in the City to meet ABAG's Regional Housing Needs requirements, during the ten-year period 1990-2000, the City of Hayward and the Hayward Redevelopment Agency invested approximately \$34 million in affordable housing development, acquisition, rehabilitation and housing-related services. This amount included \$11.5 million in Community Development Block Grant funds; \$4.5 million in Low and Moderate Income Funds; and \$2.5 million in HOME Investment Partnership funds. The City and the Hayward Housing Authority issued approximately \$15.95 million in Mortgage Revenue Bonds for the construction, acquisition and rehabilitation of affordable multi-family housing projects. When combined, the total amount expended for affordable housing was more than \$34 million.

**Amount of Funds, Number of Units and Income Groups Served through
Housing Production and Conservation Activities and Related Services 1990-2000**

	# Units	% of Total Units	Funds Invested (in millions)	% of Total Funds Invested
Very Low Income	530	42%	\$8.218	24%
Low Income	535	43%	\$23.86	70%
Moderate Income	190	15%	\$2.067	6%
Total	1,255	100%	\$34.145	100%

California State Housing Element Law requires that local jurisdictions identify and analyze existing and projected housing needs and present goals, quantified objectives, policies, financial resources, and specific programs for the preservation, improvement, and development of housing. Further, the Housing Element must identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and make adequate provision for the existing and projected needs of all economic segments of the community. The Association of Bay Area Governments (ABAG) creates a "fair share housing need" allocation for every municipality in the Bay Area. The fair share housing need is an estimate of the amount of new units that must be produced in the City to meet projected demand within a five-year period. The City must show in the Housing Element how this need will be met. Due to changes in the State housing element

preparation regulations, all jurisdictions within ABAG must prepare housing elements that cover the period of 1999 to 2006.

The City's housing production requirement from ABAG for the period 1999-2006 is shown in the table below.

Total Allocation	Very Low (at or below 50 % of area median)	Low (between 51 % and 80 % of area median)	Moderate (between 81 % and 120 % of area median.	Above Moderate (above 120 % of area median)
2,835	625	334	834	1,032

Approximately two-thirds of the projected units are for Moderate and Above Moderate Income households. These needs will be served by private sector housing developers creating new market rate housing. There are, however, 625 units of housing for very low-income households and 344 units for low income households that will need assistance from federal, state and local funding sources in order to become a reality. The new dwelling units developed to serve lower income households will more than likely need to be multifamily rental housing. The Housing Element identifies policies, strategies and programs to meet this housing need.

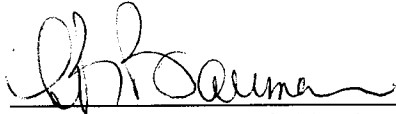
The City itself does not act as a housing developer. The City helps to create housing opportunities through its regulation of development and the provision of long term, low interest financing to create affordable housing units. In cases where the private market does not provide housing to meet the need, the City/Redevelopment Agency may need to act as a catalyst for housing development. Housing is a critical element of the City's efforts to provide a desirable environment for current and future residents. However, new housing development may conflict with neighborhood desires to maintain or improve the quality of community life by increasing the amount of traffic or decreasing the amount of open space available to neighborhood residents.

In the coming year, staff will be developing a citywide Inclusionary Housing Ordinance designed to encourage the development of affordable housing in economically integrated neighborhoods. This effort is already being pursued through the implementation of the Cannery Area Plan. Staff will also be bringing forward revisions to the Residential Rent Stabilization Ordinance, the Community Preservation Ordinance and the Residential Rental Inspection Ordinance designed to maintain and improve the quality of existing housing and neighborhoods.

Public Notice

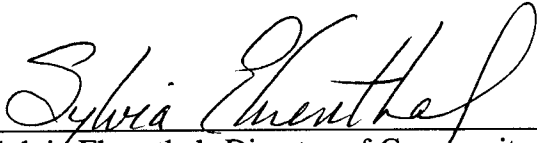
The Public Notice for the City Council Public Hearing on the Housing Element was published in the Daily Review on July 6, 2002.

Prepared by:



Ann R Bauman, Neighborhood and
Economic Development Manager

Recommended by:



Sylvia Ehrental, Director of Community
and Economic Development

Approved by:

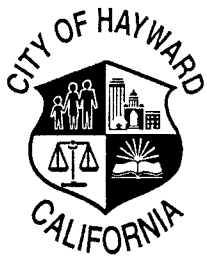


Jesús Armas, City Manager

Attachments:

- | | |
|------------|---|
| Exhibit A. | Planning Commission Agenda Report for June 20, 2002 |
| Exhibit B. | Planning Commission Minutes for June 20, 2002 |
| Exhibit C. | Draft Housing Element |

Resolution



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 06/20/02

AGENDA ITEM _____

WORK SESSION ITEM _____

TO: Planning Commission

FROM: Ann R Bauman, Neighborhood and Economic Development Manager

SUBJECT: City of Hayward Draft Housing Element

Handwritten initials "ARS" in black ink.

RECOMMENDATION:

It is recommended that the Planning Commission review, comment and recommend City Council adoption of the attached draft Housing Element.

BACKGROUND:

Overview

Housing is one of the critical elements in the City's efforts to provide a desirable environment for current and future residents. The Housing Element discusses housing-related issues and presents policies, strategies and programs to address Hayward's housing needs. The Housing Element is a mandatory component of the City's General Plan. The City adopted its current Housing Element on July 31, 1990. It was subsequently amended on July 16, 1991 to include the programs and policies for the preservation of affordable rental housing complexes at risk of converting to market rate. On October 17, 1995, the Homeownership Amendment to the Housing Element was adopted.

California State Housing Element Law requires that local jurisdictions identify and analyze existing and projected housing needs and present goals, quantified objectives, policies, financial resources, and specific programs for the preservation, improvement, and development of housing. Further, the Housing Element must identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and make adequate provision for the existing and projected needs of all economic segments of the community. The Association of Bay Area Governments (ABAG) creates a "fair share housing need" allocation for every municipality in the Bay Area. The fair share housing need is an estimate of the amount of new units that must be produced in the City to meet projected demand within a five-year period. The City must show in the Housing Element how this need will be met. Due to changes in the State housing element preparation regulations, all jurisdictions within ABAG must prepare housing elements that cover the period of 1999 to 2006.

The City's housing production requirement from ABAG for the period 1999-2006 is shown in the table below.

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Housing Element Population And Housing Market Information:

Hayward's population and housing market have changed significantly since the last Housing Element update. These changes are presented in the Housing Needs and Constraints on Housing Production sections of the Housing Element and include comparisons of 1980 and 1990 Census information with similar information from both the 2000 Census and private research firms.

Land Available for Residential Development

Sufficient land, zoned at appropriate densities, exists in Hayward to accommodate the ABAG Regional Housing Needs Determination allocation shown above. There are more than 663 acres of currently vacant land zoned for residential development. Of that, approximately 82 acres are zoned medium density residential and 75 acres are zoned for high density residential. There are also "underutilized" parcels that could be redeveloped. Underutilized land is land on which built structures have an assessed value that is less than 50% of the assessed land value. There are 422 acres of residentially designated parcels that meet these criteria. Approximately 120 acres have been designated for residential redevelopment in the Cannery Area and Burbank Neighborhood. Approximately 800-950 residential units are projected for development. Densities range from 10 to 30 dwelling units per acre. In addition, there are approximately 67,000 square feet of live/work space. A map is attached to the back cover of the draft Housing Element that shows the location of vacant and underutilized parcels throughout the City and defines "underutilized." Appendix E contains tables showing that the City's existing housing potential is approximately 4,900 units - which is more than sufficient to meet ABAG's total projected housing need requirement of 2,835 units. This is consistent with the Housing Potential by Census Tract table presented as Appendix H in the General Plan. This table shows a total of 4,857 housing units of which 1,969 are units in projects that have been approved or were pending as of June 30, 2001 and for which no building permits have been issued. This table also shows the potential for an additional 2,888 housing units. In addition there is sufficient vacant land, currently zoned high density residential, to meet the projections of units needed by very low and low-income households.

Hayward's land use and zoning regulations are not an undue constraint to development. The current General Plan update contains "Smart Growth" principles in the Land Use and the Housing elements. The City encourages mixed-use development as a tool for increasing residential use of second story retail space in the downtown and in neighborhood commercial areas. The Central City-Residential zoning designation permits high density multifamily housing

(as many as 65 units per acre) and the Commercial Office designation also permits medium density or high-density multifamily housing.

Review of Prior Housing Policies, Strategies and Programs

Housing Element Law requires that the City evaluate the effectiveness of the City's prior Housing Element. Appendix Q contains an assessment of all of the policies, strategies and goals presented in the 1990 Housing Element. Although sufficient housing was not built in the City to meet ABAG's Regional Housing Needs requirements, during the ten-year period 1990-2000, the City of Hayward and the Hayward Redevelopment Agency invested approximately \$34 million in affordable housing development, acquisition, rehabilitation and housing-related services. This amount included \$11.5 million in Community Development Block Grant funds; \$4.5 million in Low and Moderate Income Funds; and \$2.5 million in HOME Investment Partnership funds. The City and the Hayward Housing Authority issued approximately \$15.95 million in Mortgage Revenue Bonds for the construction, acquisition and rehabilitation of affordable multi-family housing projects. When combined, the total amount expended for affordable housing was more than \$34 million.

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Response to Review and Comments of the Draft Housing Element

On October 16, 2001, staff presented a draft of the Housing Element to the City Council and Planning Commission for review and comment. Following that meeting, staff incorporated comments from the Council, Commissioners and the audience into the draft Housing Element. The revised draft was then submitted to the State Department of Housing and Community Development (HCD) on November 1, 2001 for initial review. On January 7, 2002, staff received HCD's written review of the draft Housing Element and made changes accordingly.

HCD's comments focused on several areas, including:

- The review and evaluation of the effectiveness of programs in the 1990 Housing Element and Amendments. HCD wanted the City to quantify results where ever possible and evaluate the success of each program;
- Proposed housing programs. HCD wanted the City to identify responsibility for program implementation, be more descriptive about how the programs will be implemented and

have specific time frames for programs where ever possible;

- Housing needs, resources and constraints. HCD wanted the City to be as specific as possible in the analysis that sufficient sites at appropriate densities exist to accommodate the City's share of regional housing need by income category and to analyze constraints on the production of housing more thoroughly.

On March 12, 2002, staff met with representatives from HCD to discuss their comments, our proposed revisions and obtain a general endorsement of the City's approach to revising the Housing Element.

The revised Housing Element draft was discussed with City Council during a Worksession on May 14, 2000. The attached revised draft Housing Element contains the modifications suggested by Council and differs from the draft that the Planning Commission previously reviewed in October 2001 in the following ways:

- **Text of Housing Element Chapter:** There are a few changes to the body of the Housing Element; all of which amplify the discussion in the previous draft. The Constraints section (pages 5-31 through 5-41) has been re-written to be more specific and descriptive. The text has been reformatted to integrate the draft Housing Element into the City's General Plan as Chapter 5. The Housing Element Programs have been separated from the Policies and Strategies in the body of the text and made into Appendix I.
- **Residential development potential:** The amount of residentially zoned land available for new residential construction was reviewed in detail. This analysis showed that there is a sufficient supply of land available to meet housing production requirements. Appendix E, which shows the City's residential development potential, contains charts that show that, in addition to vacant land, there is enough appropriately-zoned underutilized land to meet ABAG's housing production requirements for all income categories. A map showing residentially and commercially zoned vacant and underutilized land is also attached to the Housing Element. It should be noted, in reviewing the map, that any judgment on the appropriateness of a site for housing development must take into account the specifics of the proposed project and the availability of services at that location.

The Association of Bay Area Governments (ABAG) has allocated a projected need of 2,835 units to Hayward over the period from 2000 through 2006. Nine hundred and sixty-nine of which should be affordable to lower income households. Charts of housing potential in both the General Plan and the Housing Element show that the City has more than enough housing potential (approximately 4,900 units) to meet this requirement.

- **Housing Element Appendices:** The major changes in the revised draft Housing Element are in the Appendices. The Appendices have also been integrated into the General Plan. As a result, the Housing Element's Appendices are no longer labeled sequentially – A through G -- rather, they are now labeled according to their sequence within the General Plan – Appendices B, E, H, I, O, P, and Q.

- **Review of current programs:** Appendix Q, an evaluation of the 1990 Housing Element and Amendments, was expanded to include a detailed analysis of the effectiveness of each program presented in that Element. This evaluation showed that the City made progress regarding the quality of its housing efforts but the quantity of housing produced fell short of the mark due to the downturn in the California economy in the early 1990s and the fact that Hayward's housing market was slower to develop than many in the Bay Area.
- **Public participation:** Appendix P contains a description of the public comments received throughout the update process and describes how they were incorporated into the Housing Element. This Appendix was created in response to feedback from HCD. The vast majority of comments received from the public were incorporated into the Housing Element. Appendix P also notes which comments were not addressed.

CONCLUSION

As noted previously, the Association of Bay Area Governments (ABAG) has allocated a projected need of 2,835 units to Hayward over the period from 2000 through 2006. Approximately two-thirds of the units are for Moderate and Above Moderate Income households. These needs will be served by the private sector creating new market rate housing. There are, however, 625 units of housing for very low income households and 344 units for low income households that will need assistance from federal, state and local funding sources in order to become a reality. The new dwelling units developed to serve households at these income levels will more than likely need to be multifamily rental housing. The Housing Element identifies policies, strategies and programs to meet this housing need. In cases where the private market does not meet the need, the City/Redevelopment Agency may need to act as a catalyst for housing development.

Public Notice

The Public Notice for the Planning Commission Hearing on the Housing Element was published in the Daily Review on June 8, 2002.

Next Steps

The draft Housing Element and Planning Commission recommendations will be forwarded to City Council. A public hearing will then be conducted by the City Council on July 16, 2002. The adopted Housing Element will be submitted to HCD for certification. Attached is the latest version of the draft Housing Element.

Attachment: Draft Housing Element and Appendices



7:30 P.M. ROOM 2A, 2ND FLOOR WORKSESSION

1. **Text Change No. 2002-0042 – In itiated by the Planning Director – Repeal and replace Chapter 10, Article 15 of the Hayward Municipal Code, "Preservation of Trees" Sections 10-15.10 through 10-15.30**

8:30 P.M. (approximate time) COUNCIL CHAMBERS REGULAR MEETING
 ROLL CALL – All present
 SALUTE TO FLAG
 PUBLIC COMMENT – NON AGENDA ITEMS

Earleen D. Crosswhite, discussed the redevelopment in downtown. She suggested that the City of Hayward clean the sidewalks and work toward beautifying the City. She said she would like to see the City work toward the cleanest City award.

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 8:37 p.m. by Chairperson Halliday, followed by the Pledge of Allegiance.

ROLL CALL

Present:	COMMISSIONERS	Zermeño, Williams, Sacks, Caveglia, Bogue, Thnay
	CHAIRPERSON	Halliday
Absent:	COMMISSIONER	None

Staff Members Present: Bauman, Conneely, Looney

General Public Present: Approximately 8

AGENDA

2. **Draft General Plan Housing Element**

PUBLIC HEARINGS

3. **Draft General Plan Housing Element**

Neighborhood and Economic Development Manager Bauman gave the staff report. She indicated that the California State Housing Element Law requires local jurisdictions to identify and analyze existing and projected housing needs and develop policies and programs to meet them. The real estate market will produce enough housing to meet the needs of median and

DRAFT

above-median income households. However, the projected low-income and very low-income household need will need an investment of federal, state, and local government funds and tax credits in order to be built. The cost of producing affordable housing is a constraint throughout the Bay Area. The Association of Bay Area Governments (ABAG) has allocated a projected need of 2,835 units for Hayward for the period 1999 through 2006. She enumerated many of the changes in Hayward's population and housing market since the last Housing Element update.

Commissioner Zermeño asked about ABAG requirements and how an "affordable" cost is range for low-income units is established.

Neighborhood and Economic Development Manager Bauman responded that meeting the ABAG projected need for lower income households will most likely mean constructing new rental housing. An affordable housing cost for lower income households is defined by HUD and the State of California as no more than 30% of the monthly income spent on housing. She enumerated the various programs available to help finance low income housing and discussed various projects for lower income households which the City of Hayward has participated in financing.

Commissioner Caveglia discussed the various actions of the City during the 1990's, and the fact that most of the low-moderate housing in the City has been done with Eden Housing.

Neighborhood and Economic Development Manager Bauman described the multifamily mortgage bond apartment developments located throughout the City and how attractive they are.

Commissioner Williams expressed concern regarding ABAG setting goals for localities. He suggested partnering with other entities to reach this goal. He said that a regular complaint from builders is difficulty in working with the City regarding the zoning. He suggested looking at ways to cut the red tape and educate students to prepare them for the realities of housing. He then asked, according to the ABAG figures, how Hayward compares to surrounding communities. Neighborhood and Economic Development Manager Bauman referred the Commissioners to the Chart in the Housing Element that listed all of the ABAG allocations for localities in Alameda County.

Commissioner Thnay noted that, based on the historical data, and the ABAG projections, the City of Hayward was clearly not going to meet the need. He said the City would have to build 400 units a year from now on to meet the goal. He then asked about encouraging Habitat for Humanity to come into Hayward.

Neighborhood and Economic Development Manager Bauman said staff has had discussions regarding working with Habitat for Humanity.

Commissioner Zermeño asked whether the apartments on Tennyson that are being refurbished are part of the program.

Neighborhood and Economic Development Manager Bauman responded that there a private



developer has undertaken this project and secured financing so that it will be affordable. The City assisted the developer to acquire and rehabilitate Tennyson Gardens by issuing a mortgage revenue bond and making a short-term loan to the project. However neither of these projects will count toward the ABAG goals since they require that new units be built. Unless the building has been out of service, rehabilitation does not count as housing development.

Chairperson Halliday asked how is the need distributed and what happens to the City of Hayward if we don't meet the goal.

Neighborhood and Economic Development Manager Bauman explained that the State Department of Finance distributes information about the need and ABAG assigns the need to the localities in the nine Bay Area counties. Recent bills before the State legislature have required sanctions on cities that don't build their fair share of low-income housing. Although none of these bills have yet passed, there is no doubt that there will be "stronger teeth" in State housing element law in future years. She added that the ABAG numbers are all new units. The City of Hayward is always looking for funding sources.

Commissioner Halliday then asked her to elaborate about the revision to the Rent Stabilization Ordinance.

Neighborhood and Economic Development Manager Bauman explained that City staff and an Ad Hoc group representing rental housing owners and tenants have reviewed the Ordinance and identified areas where changes need to be made. There are three areas of change. Increasing the cost to decontrol, upgrading the types of work required for decontrol, and adding a requirement for a written document from the tenant stating that the household has voluntarily vacated the unit. As it is right now when there is a vacant unit, the landlord calls and asks for a decontrol inspection. The City inspector will inspect the unit and, if everything is in order, decontrols. Previously, the Ordinance did not require a written statement from the tenant stating that the vacancy was voluntary. She said they are anticipating that the revised Ordinance will come before Council in the fall.

The public hearing opened at 9:24 p.m.

Jim Gonzalez, representing Hayward Coalition for Affordable Housing, discussed the Rent Stabilization Ordinance of February 2001. He said there were over 150 concerned tenants, who discussed their problems with landlords, rents and the rent control ordinance. He said the Coalition had prepared a written report that explained a number of concerns regarding affordable housing. Universal Design is an issue for the disabled. He noted the many ways in which a standard housing unit does not fit the needs of people with disabilities. He asked for the City to require that all new developments use Universal Design and for that policy to be included in the Housing Element. He also noted that the draft Housing Element did not specify which of the vacant housing sites required a Conditional Use Permit for residential development. He then commented that the Coalition was not invited to participate in the

Housing Element development process. He said that the Community has been frozen out of the process. The Coalition has a matrix of concerns and a plan of action that they would like to see included in the Housing Element.

Chairperson Halliday noted that it might be going a bit far to say that they were excluded, since their comments are included with responses in Appendix P.

Commissioner Williams commented on housing for the disabled. He said both new, affordable units or existing housing, older units, should have reasonable accommodations.

Mr. Gonzalez said he was talking about the regulations and asking the City to study accessibility.. He believes it is the obligation of the City to examine the policies and conditions for disabled.

Commissioner Caveglia said the Coalition had the opportunity to attend and participate in several workshops, he then asked Neighborhood and Economic Development Manager Bauman to comment.

Neighborhood and Economic Development Manager Bauman said that Mr. Gonzalez has met with both the City Attorney and City Manager to discuss these issues and that members of the Coalition had been participants in a workgroup to discuss the changes in the Residential Rent Stabilization Ordinance. She noted that the City has a close ongoing working relationship with CRIL, which is the independent living center serving people with disabilities in the Hayward area. For over twenty years, the City has funded CRIL to conduct housing advocacy and housing placement with disabled individuals. She then commented that many of the Universal Design standards have been embodied in the 1998 Building Code. She noted that the City of Hayward has done a lot to increase accessibility, including operating an accessibility repair program which makes homes and apartments accessible to the persons with disabilities living there. . She said she could appreciate that there were times when interactions might have not been what the coalition wished. Appendix P of the draft Housing Element described the City's response to the issues raised by the Coalition. Neighborhood and Economic Development Manager Bauman explained that the City has gone above the minimum many times, beyond what the State and Federal governments require. She added that she had met with Mr. Gonzelez before would be delighted to meet with Mr. Gonzelez any time he wished.

Commissioner Zermeño said he appreciated her comments and believed that all the organizations had been included. He added that he recognized Mr. Gonzalez' frustration with the City.

Ralph Morales expressed his concerns and said, in reality, none of us has done enough, if people still do not have a place to live. He spoke about the Bishop's challenge to every Catholic Church to have a housing ministry. He commented that it was all of our jobs to see what we can do to move this along; keep the lines of communication open. He said everyone must try to think outside the box, and not forget the human element. This is all a work in progress. And he noted that everyone was trying to do what's right.

Commissioner Sacks asked, regarding the housing crisis, what the private sector and the public



sector can do. She suggested both builders and developers meet with city staff and the non-profit groups interested in building housing in the City of Hayward.

Ruth Yates, speaking for disabled citizens, described a number of her friends who have had to leave the area because of the cost of housing. She commented that owners of the property where she lives have changed the complex from a good place for people with disabilities to a senior citizen complex for those who are 55 years and over. Previously, the complex had billed itself as a disabled complex. Now, a friend cannot move into this apartment complex, unless she meets the age requirements. Ms. Yates added that she does not know how many units or buildings are available to the disabled in Hayward, but she thinks there are not that many. She said a coalition needs to be developed to get together and make things affordable to everyone.

Ms. Yates was told that the City Council would hear the Housing Element proposal on July 16 and that she should try to attend that meeting as well.

The public hearing closed at 10:04 p.m.

Commissioner Williams asked what the relationship between Rent Control and Section 8 tenants would be.

Neighborhood and Economic Development Manager Bauman said there is no relationship. There are two types of Section 8 housing, one where the tenant has voucher and can move into any unit if the landlord is willing and the other is project-based where the benefit stays with the unit. In general, tenants are not allowed to spend more than 30 percent of their income for housing.

Commissioner Caveglia commented that staff has made serious attempts to do what they can. He said the housing coalition must put pressure on elected officials. He then noted that Mobile homeowners have strong recognition from elected officials because they vote.

Commissioner Thnay suggested exploring affordable housing at a fair or seminar where staff and developers might get together to better explore how to really build affordable housing.

Commissioner Sacks then discussed an article in the Daily Review. She commented that more and more could afford less and less in housing. Staff has done the best they can under the restraints of government. She said she was pleased it was discussed separately from the General Plan discussion. She then **moved**, seconded by Commissioner Zermeño, to recommend adopting of the draft Housing Element to the City Council.

Commissioner Zermeño said he thought a meeting with developers a good idea. He then asked what it would take for inclusion of a few homes which would only be open to Hayward residents in upcoming projects.

Commissioner Bogue said he would support the motion. He commented on affordable housing and how people cannot afford to make enough money to pay for their housing. Soon, it is going to be how and who is going to subsidize the units.

Commissioner Caveglia commented that reality housing has to be removed from capitalistic gain. People need to have a place to live. It is a basic human right to have a place to live.

Commissioner Williams added that since we do live in a capitalistic society, perhaps it is time to look at the unusual to make housing available.

Chairperson Halliday added that this has been a long process. She particularly noted that she would have liked to see more specifics as to what funding is being acquired and needed to get a handle on the task. She commented that the City has to know that it will fail based on current conditions. She said we need to know what we have to do. She then discussed an inclusionary zoning ordinance, and building projects that do not discriminate against the lowest income dweller. Eden Housing does wonderful projects. She then mentioned both the Blue Rock Country Club and South of 92 project. Those projects will fulfill the above-moderate housing need. She said the City has to be aware that funds might be in question for any affordable projects. She said she would support the idea of a housing committee for the City, to include both builders and these organizations. She emphasized once again, that the City of Hayward needs to think out of the box.

Commissioner Bogue said he thought it was thinking outside the box to have both the City Council and Planning Commission working on the Housing Element together. He noted that these topics were considered. By holding joint meetings, they all had more exposure to each concern.

The commission voted **unanimously** to recommend that the City Council adopt the draft Housing Element.

ADDITIONAL MATTERS

3. Oral Report on Planning and Zoning Matters

There were no reports.

4. Commissioners' Announcements, Referrals

Commissioner Thnay asked that a resolution be done for Commissioner Williams since the next meeting would be his last.

Commissioner Caveglia asked why Blue Rock was rescheduled for hearing on July 11, since he would be out of town for that meeting. He said it was originally scheduled for June 27, which he could attend.

MINUTES



ADJOURNMENT

The meeting was adjourned by Chairperson Halliday at 10:33 p.m.

APPROVED:

Francisco Zermeno, Secretary
Planning Commission

ATTEST:

Edith Looney
Commission Secretary

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

mal
7/10/02

RESOLUTION ADOPTING THE DRAFT GENERAL
PLAN HOUSING ELEMENT AND RELYING ON THE
PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT
REPORT

WHEREAS, the City's General Plan Housing Element was adopted on July 31, 1990, and amended on July 16, 1991, to include the programs and policies for the preservation of affordable rental housing complexes, and on October 17, 1995, to adopt the Homeownership Amendment; and

WHEREAS, state law requires local jurisdictions to revise the housing elements of their general plans, including identifying and analyzing existing and projected housing needs and goals and quantifying objectives, policies, financial resources and specific programs for the preservation, improvement, and development of housing; and

WHEREAS, a draft Housing Element including all the requisite components has been prepared and forwarded to the State Department of Housing and Community Development in compliance with state law; and

WHEREAS, on March 12, 2002, City Council adopted the draft General Plan, exclusive of the Housing Element, and certified that the Environmental Impact Report (EIR) had been prepared in compliance with the California Environmental Quality Act (CEQA) and City implementing guidelines, adopting the Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program; and

WHEREAS, said EIR considered potential impacts relating to the draft General Plan Housing Element; and

WHEREAS, on June 20, 2002, the Planning Commission recommended approval of the draft General Plan Housing Element.

NOW THEREFORE, BE IT RESOLVED that after consideration of the recommendations of the Planning Commission and based on the previously certified environmental documents, the City Council of the City of Hayward hereby adopts the draft General Plan Housing Element on file in the office of the City Clerk.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2002

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward